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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,933	12/15/2000	Peter Garsoe	19280-1450.001	1070

7590

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EXAMINER

LE, HIEU C

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/737,933

Applicant(s)

GARSOE, PETER

Examiner

Hieu c. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

1. Applicant's election of Group I (1-11,16) is acknowledged. The traversal is on the ground(s) that the Examiner should have restricted Groups II & III into the same group I. The Examiner is not agrees. However, the Examiner still maintains the restriction of group I (1-11,16) as distinct from the invention of group II (claims 12-15) and the invention of group III (claim 17).

Claim Rejections - 35 USC § 112

2. Claim 7 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 7 recites " wherein said website and mini-page development sub-system is configured to enable one or more of said users to view summary information of an object associated with a list, wherein said means to create said sub-system is configured to enable said one or more hosts to define related information regarding such hosts for insection into a created mini home page", lines 3-6. There is no disclosure of a means to create sub-system configured to enable one or more hosts to define related information regarding such hosts for insertion into a created mini home page nor how to perform it. The specification discloses on p. 13, line 25-p. 14, line 5, that the system 60 within server 20 is configured to produce a mini home page. There is no mention of hosts 40 involved in creating the mini home page.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites the limitation " wherein said means to create said sub-system " in line 3-4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-4, 6-7, 9-10,16 are rejected under 35 U.S.C. 102(e) as anticipated by Gabe [US Patent 6,029,165].

As to claim 1, Gabe discloses a distributed interactive content system to enable interactive content exchange, the system comprising:
software configured to enable reception, transmission, or both, of information related to one or more fields of interest thereby generate content associated with each of said one or more fields of interest, [users are able to access and retrieve objects(documents or

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content) of topics of interest to the user of community user (col. 4, lines 34-45, col. 6, lines 34-46)],

wherein said content is accessible and modifiable by one or more users from any of one or more hosts such that said content is substantially uniform for all users and all hosts [user create her own topic (modify content) (col. 6, lines 63-67), col. 10, lines 19-32)].

As to claim 2, Gabe further discloses comprising a transactional server to receive and store said content, wherein said transactional server establishes an interface among said users and said hosts [lexicon 32 (transactional server) stores topics specific to the community (content) (Figs. 3-4, col. 4, lines 60-62, col. 3, lines 6-20), the user has a communication adapter (interface) (Fig. 2, item 37) for accessing the server via network 39 and community module (host) (Fig. 5, item 31)].

As to claim 3, Gabe further discloses wherein said server further includes a uniform database including information related to one or more subjects of interest [Fig. 5, item 36, database 36 as show in fig 3 stores uniform information related to one or more subjects of interest for example the topic "capital" of interest to community users (col. 5, lines 6-20)].

As to claim 4, Gabe further discloses wherein said databases are supplied with said information from said one or more users and/or said one or more hosts [user creates her own topic (col. 6, lines 63-67) i.e. information is supplied by users].

As to claim 6, Gabe further discloses wherein said network station further includes means to create a website and mini-page development sub-system

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[a topic may be a specific document, storage location or a website address (col. 4, lines 48-50). The user can creates her own topic (col. 6, lines 63-67) i.e. create web site)].

As to claim 7, [as best understood by the Examiner], Gabe further discloses wherein said website and mini-page development sub-system is configured to enable one or more of said users to view summary information of an object associated with a list, wherein said means to create said sub-system is configured to enable said one or more hosts to define related information regarding such hosts for in section into a created mini home page (col. 10, lines 27-36).

As to claim 9, Gabe further discloses wherein the server is configured to manipulate, organize and store the information for retrieval by the users through the hosts such that the database can be queried for particular information to generate a unique database of content accessible by said users through the hosts (figs. 3 & 5, col. 6, lines 33-45).

As to claim 10, Gabe further discloses wherein portions of said content may be stored in a distributed manner [content is stored in internal and external databases (col. 7, lines 29-32).

As to claim 16, Gabe discloses a mini home page system to provide a summary of the source of information associated with an object of an accessible directory, the mini home page system comprising:

a means for generating a summary display of information related to the source [the user is presented by a list of topic (summary display)

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(col. 10, lines 2-10)], wherein each mini home page for each object is of a substantially uniform type and may be launched within a substantially equivalent period of time for each object [all topic may be displayed to the user simultaneously from the lists (col. 10, lines 39-45) i.e. the objects are launched within a substantially equivalent period of time for each object].

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 5,11 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Gabe [US Patent 6,029,165] as applied to claim 3 above and further in view of Applicant's admitted prior art (p. 3, lines 6-18).

As to claim 5, Gabe does not disclose comprising means for exchanging information between said database and said one or more users via said one or more hosts.

Applicant's admitted discloses that a in the computer based interactive systems Users access web sites via a service provider or a host (p. 3, lines 6-18).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Applicant's admitted prior art teachings to modify Gabe's method by accessing the web site (database) via a service provider or a host in order to allow users of common interests to access information the user interested in.

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As to claim 11, refer to claim 1 rejection.

Gabe does not disclose means for one or more users to access and interact with the content via one or more of said hosts.

Applicant's admitted discloses that in the computer based interactive systems Users access web sites via a service provider or a host (p. 3, lines 6-18).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Applicant's admitted prior art teachings to modify Gabe's system by accessing the web site (database) via a service provider or a host in order to allow users of common interests to access information the user interested in.

8. Claims 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gabe [US Patent 6,029,165] as applied to claim 2 above and further in view of Drucker et al. [US Patent 6,292,796].

As to claim 8, Gabe does not disclose comprising means to couple the server to the hosts, wherein the means to couple includes wireless interferences.

Drucker discloses a method and apparatus for improving access to information by using filters to identify the sources of information of interest to the user (col. 4, lines 1-26). The communication interface could be a wireless interface.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Drucker's teachings to modify Gabe's system by using a wireless interface to improve access to information of interest to the user.

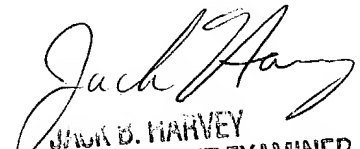
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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu Le whose telephone number is (703) 306-3101. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey, can be reached on (703) 305-9705. The fax phone number for this Group is (703) 308-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Hieu Le


JACK B. HARVEY
SUPERVISORY PATENT EXAMINER